MBChB
Regulations regarding Student Misconduct, Academic Misconduct and Neglect of Academic Obligations

2015-16
The Medical School regulations are governed by the University’s Regulations Regarding Student Discipline. The University’s definitions of misconduct and general expectations of students in relation to their Personal Conduct, their Academic Honesty and Academic Obligations, and their Professional Conduct are defined in Senate regulations Student Obligations and Discipline.

This document highlights for Medical Students the sections of the University’s regulations to which they should pay particular attention because of their relevance to the GMC’s Fitness to Practise procedures.

General definitions and scope of student misconduct in the University regulations

11.3 Students are expected to show consideration for the feelings and sensibilities of others, to play their part in maintaining a harmonious atmosphere among fellow students and staff and to conduct themselves with propriety at all times when they can be identified as a representative of the University. This includes behaviour both in and around University buildings, in public places and in the use of on-line services.

11.4 The essence of misconduct under these regulations is improper interference, in the broadest sense, with the proper functioning or activities of the institution, or those who work or study in the institution, or action which otherwise damages the institution.

11.5 The following shall constitute misconduct and render a student liable to disciplinary action:

(a) breaches of academic integrity including acts of plagiarism, collusion, cheating or other forms of academic dishonesty (for more detailed definitions of these terms, see below);

(b) disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University, whether on University premises or elsewhere;

(c) obstruction of, or improper interference with, the functions, duties or activities of any student, member of staff of the University or visitor to the University;

(d) violent, indecent, disorderly, threatening, bullying, harassment or other offensive behaviour or language whilst on University premises or engaged in any University activity, or directed at any member of the University, or gross or repeated insolence towards any member of the University's staff;

(e) failure to comply with the University’s Code of Practice on Freedom of Speech

(f) fraud, deceit, deception or dishonesty in relation to the University or its staff or in connection with holding any office in the University or in relation to being a student of the University;

(g) action likely to cause injury or impair safety on University premises;
(h) harassment or unwanted conduct relating to relevant protected characteristics (age, disability, gender reassignment, race, religion and belief, sex and sexual orientation of any student, member of staff of the University, or visitor to the University;

(i) damage to, or defacement of, University property or the property of other members of the University community caused intentionally or recklessly, or misappropriation of such property or misuse or unauthorised use of University premises or items of property, including computer misuse;

(j) falsification, misappropriation or misuse of University documents or records or other data, held in any format;

(k) conduct which constitutes a criminal offence (including conviction for an offence) where that conduct or the offence:

1. (i) takes place on University premises, or
2. (ii) affects or concerns other members of the University community, or
3. (iii) damages the good name of the University, or
4. (iv) itself constitutes misconduct within the terms of these regulations, or
5. (v) is an offence of dishonesty, where the student holds an office of responsibility in the University,

(l) behaviour which brings the University into disrepute;

(m) failure to disclose one’s name and other relevant details to an officer or employee of the University in circumstances when it is reasonable to require that such information be given;

(n) failure to comply with a reasonable request made by any member of the University's staff who is authorised to make such a request, or refusal to leave any University building or the grounds of any University building when requested to do so by a member of the academic staff or of the senior administrative staff, or by any employee of the University who has responsibility for the security of the building or property. A member of the University staff is authorised to make such a request to ensure the security of a building or the safety of people (including the person to whom the request is made) within that building;

(o) failure to comply with the provisions of any University Code or Regulation;

(p) failure to comply with a previously-imposed penalty under these regulations or imposed under allied procedures enforced through these regulations;

(q) any action which improperly interferes with the activities of another educational institution will constitute misconduct under the terms of these regulations.
Medical Students should note that The Head of Department may refer allegations of misconduct to the University's Authorised Officers.

Definitions

Definitions of cheating, plagiarism, collusion, neglect of Academic Obligations including Failure of Academic Engagement, neglect of Apprenticeship Obligations, neglect of Professionalism Obligations and Neglect of Patient Safety Obligations

Any action knowingly taken by a student which involves misrepresentation of the truth may be considered academic dishonesty and as such is an offence which the University believes should merit the application of very severe penalties. Offences in this category include, but are not confined to:

a. cheating in written examinations
b. copying work from or using work written by another person
c. soliciting or commissioning work
d. making work available to another person for copying
e. copying from published authorities, including on-line sources, without acknowledgement
f. pretending ownership of another’s ideas
g. falsifying results

Cheating involves actual, or attempted deception and/or dishonest action in relation to any academic work of the University. Taking unauthorised material into an examination (including revision notes or unauthorised equipment) shall be regarded as attempted deception. Talking to another candidate during an examination will also be considered unauthorised behaviour.

Plagiarism is used as a general term to describe taking and using another’s thoughts and writings as one’s own. Plagiarism can occur not only in essays and dissertations, but also in scientific experimentation, diagrams, maps, fieldwork, computer programmes, and all other forms of study where students are expected to work independently and produce original material.

Collusion is the active cooperation of two or more students to deceive as defined in the University Regulations. A student is guilty of collusion who knowingly allows any of his or her academic work to be acquired by another person for presentation as if it were that person’s own work. A student who offers to provide work to another to be passed off as the others’ own is guilty of collusion.
Neglect of Academic Obligations is defined as the failure of students to engage appropriately with their taught programme of study. The nature of students’ academic obligations (for example, attendance at lectures and classes, performance of practical and written work) will be defined by the relevant Department – in this case the Medical School. If students are in doubt about their obligations, they should consult their Personal Tutor, Director of Undergraduate Medical Education or Head of Department. In the case of Medical Students, Neglect of Academic Obligations includes Neglect of Academic Engagement, Neglect of Apprenticeship Obligations, Neglect of Professionalism Obligations and Neglect of Patient Safety Obligations.

Failure of Academic Engagement and Neglect of Academic Engagement is a form of Neglect of Academic Obligations resulting from a failure of students to engage with the course academically. Both the University and the GMC require students to be committed to their course and to fully engage with their teachers. Failure of academic engagement could occur for many reasons, ranging from laziness to mental illness. Students who are failing to engage academically would normally be referred to the Academic Support Unit. Students who fail to engage academically in spite of attempts to correct this failing will be warned that they are at risk of being in Neglect of Academic Engagement. A student who is deemed to be in Neglect of Academic Engagement will be referred to the Head of Department.

Neglect of Apprenticeship Obligations is a form of neglect of academic obligations that specifically applies to Medical Students and results from repeated failures to attend teaching without prior agreement of the Phase 1 or Phase 2 Lead (unauthorised absence). Failure to attend teaching is in itself a neglect of Academic Obligations. Students who fail to attend teaching will be formally warned by the Medical School that they have neglected their Academic Obligations. A student who receives three formal warnings that they have neglected their Academic Obligations due to failure to attend teaching will be told at their third warning that a further (fourth) unauthorised absence will constitute a Neglect of Apprenticeship Obligations.

Neglect of Professionalism Obligations is a form of neglect of academic obligations that specifically applies to Medical Students (see also Code of Practise for Health and Conduct Committee, HCC). A medical student whose unprofessional behaviour has been a cause of serious concern, but not serious enough to be referred to the Fitness to Practise Committee, may be deemed by the HCC to have neglected their Professionalism Obligations.

Neglect of Patient Safety Obligations is a form of neglect of Academic Obligations that specifically applies to Medical Students. A Medical student who has placed a patient’s safety at risk due to unprofessional behaviour would normally be referred to the Health and Conduct Committee, who will act in accordance with that Committee Code of Practice.

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Student may however be referred directly to the Fitness to Practise Committee (see FTP regulations). There may be occasions when a student’s lack of academic knowledge, academic rigour or failure to observe patient safety principles places could place a patient at risk of injury or death. Such events may constitute a Neglect of Patient Safety Obligations.

Medical School Policies

Cheating
A student who cheats in examinations/assessments will be referred to the Head of Department who will then provide a written report to the University’s Authorised Academic Officer. The Authorised Academic officer will follow the University processes (Senate Regulation 11). Once the Authorised Academic Officer has concluded the investigation and if there is a case to answer, the Head of Department will refer the student to the Health and Conduct Committee. The Health and Conduct Committee will only consider the case when the Authorised Academic Officer has finished the investigation and imposed a penalty. It is highly likely that a student who cheats in examinations/assessments will exceed the threshold for referral to a Fitness to Practise panel.

Plagiarism/collusion
Plagiarism and/or collusion will be dealt with exactly as defined in paragraphs 11.49 to 11.65 of the University Regulations. The Medical School’s Plagiarism/Collusion officer is Dr Diane Hudman. Students found guilty of Category 2, 3 or 4 plagiarism will be referred to the Health and Conduct Committee. A student who is found guilty of Category 3 or 4 plagiarism is highly likely to exceed the threshold for referral to a Fitness to Practise panel.

Neglect of Academic Obligations

1. Failure of Academic Engagement. Neglect of Academic Engagement
A student who is in Neglect of Academic Engagement will be referred to the Head of Department who will normally remove the right to re-sit the next progression assessment if failed at the first attempt. The student will also be referred to the Health and Conduct Committee (HCC). A student who has had the right of re-sit removed and who then continues to not engage academically will be referred to a Panel of the Senate Student Discipline Committee with a recommendation that the student’s registration be terminated (see Senate regulation 4 paragraphs 4.4 to 4.19).
2. Failure of attendance during the Medical course. Neglect of Apprenticeship Obligations

Medical students are expected to attend all components of the course throughout the course. This requirement is a cornerstone of the Medical School’s Patient Safety Policy. The University Regulations state that Departments are empowered to authorise short absences for personal reasons, but requests for absences of more than one week (5 teaching days) must be explicitly approved by the University, and will only be granted with the agreement of the Medical School and if the student concerned takes full responsibility for the completion of academic work. This procedure applies if the absence is for religious reasons. [http://www2.le.ac.uk/offices/sas2/regulations/documents/senatereg4-studentobligations.pdf](http://www2.le.ac.uk/offices/sas2/regulations/documents/senatereg4-studentobligations.pdf). The Medical School policy on attendance procedures and leave entitlements can be viewed at [https://www2.le.ac.uk/departments/medicine/regulations/docs/2015-16/Attendance and Leave Entitlements 2015-16.pdf](https://www2.le.ac.uk/departments/medicine/regulations/docs/2015-16/Attendance and Leave Entitlements 2015-16.pdf)

Students who do not attend prescribed teaching without the prior agreement of the Phase 1 or Phase 2 Lead or the University (if greater than 5 teaching days) will be deemed to have neglected their Academic Obligations. Students who fail to attend teaching will be formally warned by the Phase 1 or Phase 2 Lead that they have neglected their Academic Obligations. A student who receives three formal warnings that they have neglected their Academic Obligations due to failure to attend teaching will be told at their third warning that a further (fourth) warning will lead to a Neglect of Apprenticeship Obligations. Students who have neglected their Apprenticeship Obligations will be referred to the Head of Department who will normally remove the right to re-sit the next progression assessment if failed at the first attempt and report the student to the HCC. A student who has had the right of re-sit removed and who then fails to attend teaching on a further occasion will be referred to a Panel of the Senate Student Discipline Committee with a recommendation that the student’s registration is terminated.

**How much of the Medical Course can a student miss (authorised and/or unauthorised absence) before he/she has to apply to suspend their studies?**

Please see the document “MBChB Attendance Procedures and Leave Entitlements”

**Phase 1**

Because of the apprenticeship nature of Undergraduate Medical training, the longest time in total per academic year that a student may be absent is as follows:

**FIVE YEAR COURSE:** two weeks (10 working days) during Year One and / or Year Two, and one week (5 working days) during the first half of Year Three prior to the Primary Professional Exam.
FOUR YEAR COURSE: two weeks (10 working days) during Year One, and one week (5 working days) during the first half of Year Two prior to the Primary Professional Exam.

This regulation will apply regardless of the reason for the absence. Students who exceed this threshold cannot continue on the course but can apply for Suspension of Studies. This Process is defined in the Medical School document entitled ‘Suspension of Studies’.

Phase 2
The longest time that a student may be absent from the Junior Clinical Rotations is three weeks (15 working days) in total and the longest time that a student may be absent from the Senior Clinical Rotation is three weeks (15 working days) in total. The reason that the chosen maximum time is 3 weeks is that the maximum leeway in the programme for a student to ‘recover’ lost clinical apprenticeship is 3 weeks. In the case of a student in the Junior Clinical Rotation the student will not be able to sit the IPE exam but can instead gain the three weeks missed apprenticeship experience during the gap between the IPE and IPE Resit Exam and then sit the IPE Resit Exam. In the case of a student in the Senior Clinical Rotation, the student will not be able to sit the Final Professional Exam but can instead ‘recover’ lost clinical apprenticeship in the 3 weeks at the end of the Senior Clinical Rotation. Such a student will take the Final Resit Exam and will have reduced time for their Student Elective. Students who exceed the three week threshold cannot continue on the course but can apply for Suspension of Studies. This Process is defined in the Medical School document entitled ‘Suspension of Studies’.

3. **Neglect of Professionalism Obligations.**
A Student who has been deemed to have neglected his/her Professionalism Obligations would normally, but not always, have been warned that they are at risk of neglecting their Professionalism Obligations. A student who has neglected his/her Professionalism Obligations will be referred to the next relevant Board of Examiners with a recommendation that the student should not progress due to a failure of Professionalism Obligations. The Chair of the Health and Conduct Committee will provide a report explaining whether there are any health issues that have impaired the student’s professionalism. The Board of Examiners will normally allow a repeat of the year, However, if there are student health issues that need addressing then the Board of Examiners may require the student to suspend their studies before repeating the year. A Student may repeat a year as a consequence of Neglect of Professionalism Obligations on a single occasion only during their 4 or 5-year Programme.

4. **Neglect of Patient Safety Obligations.**
Students who may have neglected their Patient Safety Obligations will be referred to the Director of Undergraduate Medical Education who will investigate the circumstances. The Director of Undergraduate Education may take the following actions:

1. Determine that there is no case to answer.
2. Determine that the student has neglected his/her Patient Safety Obligations and depending on the seriousness (this will involve a consideration of the severity of the case and also whether this is a first or repeat episode):
   a) Refer the student to the Academic and/or Professionalism Support Unit(s) with an official warning that the student has neglected his/her Patient Safety Obligations.
   b) Refer the student to the Health and Conduct Committee.
   c) Refer the student to the next relevant Board of Examiners with a recommendation that the student should not progress due to a failure of Patient Safety Obligations. The Board of Examiners will normally allow a repeat of the year, however if there are student health issues that need addressing then the Board of Examiners may require the student to suspend their studies before repeating the year. Students may repeat a year as a consequence of Neglect of Patient Safety Obligations on a single occasion only during their 4 or 5-year Programme.
   d) Refer the student to the Head of Department with a recommendation that the student’s registration be terminated. The Head of Department will determine whether the student should be referred to a Panel of the Senate Student Discipline Committee with a recommendation that the student’s registration be terminated. In these circumstances the Head of Department may remove the student from all patient contact until the Disciplinary Panel has met.
   e) Refer the student to the Fitness to Practise Committee. In this circumstance the Director of Undergraduate Education may remove the student from all patient contact until the Committee has met.

5. Late submission of course work
The guidance is an excerpt from Senate Regulation 7: Regulations governing the assessment of taught programmes (Senate Regulations Assessment), as applied to the coursework components of the MBChB.

The University regulations state that when a student misses, or expects to miss, a published deadline for a piece of coursework or other assessed work, there is no provision for extensions to the deadline to be granted.
Where a student experiences a sudden illness or other serious and unforeseen event or set of circumstances, s/he should be advised to submit the course work as soon as possible and that the regulations concerning mitigating circumstances (as set out from paragraph 7.99, as applied by the Medical School) will be applied to ensure that there is no penalty for the late submission. Such mitigating circumstances will be considered at the next scheduled meeting of the Mitigating Circumstances Panel.

All written assessed coursework submitted in respect of a Student Selected Component (SSC), including the Living with Long Term Conditions course, and the Patient Centred Clinical Practice Course will be subject to screening by the plagiarism detection system used by the University of Leicester (Turnitin). The date and time of electronic submission to Turnitin will be deemed to be the time and date of submission with respect to the deadline for receipt of that piece of work.

In cases where there are no accepted mitigating circumstances, late submission of coursework shall lead automatically to the imposition of a penalty. Penalties shall be applied as soon as the deadline is reached. The University’s penalty scheme is as follows:

• a deduction of 10% of the maximum mark available from the actual mark achieved by the student shall be imposed upon expiry of the deadline;
• a further deduction of 5% of the maximum mark available from the actual mark achieved by the student shall then be imposed on each of the next subsequent working days, until the pass mark for the assessment is reached;
• where a piece of work would have received a pass mark if penalties had not been applied for late submission credit will be assigned and resubmission will not be permitted, and the mark that is used is the lower mark;
• any piece of work submitted 11 or more days after the expiry of the deadline will not be marked but will be assigned a mark of zero and deemed to be a non-submission;
• ‘available marks’ in this context means the maximum marks available for the piece of work (for example, 100 would be the available mark in a percentage marking scheme);
• ‘working day’ in this context means a period of twenty four hours or part thereof from Monday to Friday inclusive.